

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF TENNESSEE
 NASHVILLE DIVISION

3 UNITED STATES OF AMERICA)
)
4 vs.)
)
5) Case No. 3-09-00240
)
6)
7 CHRISTOPHER CONYERS,)
)
 Defendant.)

9 TRANSCRIPT OF PROCEEDINGS
10 January 4, 2012 - 11:00 a.m.
 Motion to Withdraw

11 BEFORE THE HONORABLE SENIOR JUDGE JOHN T. NIXON
12 DISTRICT JUDGE

13 APPEARANCES:

14 For the United States: SUNNY A.M. KOSHY
15 Assistant U. S. Attorney
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 Nashville, Tennessee 37203

17 For the Defendant: PAUL J. BRUNO
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JANUARY 4, 2012

THE COURT: Ready to proceed in the United States of America vs. Christopher Conyers?

MR. KOSHY: Yes, sir.

MR. BRUNO: Yes, Your Honor.

THE COURT: What is the status?

MR. BRUNO: Your Honor, Paul Bruno for Mr. Conyers. I would like to address my motion first.

THE COURT: All right.

MR. BRUNO: Since I started representing Mr. Conyers, there has been from time to time some issues with Mr. Conyers that I think arise out of the need to just develop trust and confidence in me as his attorney. I was -- he had never met me before and I'm appointed to represent him and so it just took a little bit of time. And we've kind of gone back and forth since I've been representing him.

Last week I received a voice mail in the morning which indicated that he wanted me to withdraw off his case. And so I filed a motion. And then in the afternoon I received another voice mail which said that he had -- the information he had received was incorrect and he wanted me to stay on the case.

And so I met with him on Friday afternoon and he -- we had a conversation. And where we're at now, is he wants me to remain on the case; I want to remain on the case.

1 THE COURT: All right.

2 MR. BRUNO: And I told him that we needed to try to
3 put this issue behind us and start focusing on the case and
4 moving forward. And he's in agreement with that. So what I
5 need to do is strike my motion, but I didn't want to strike
6 it before today, because I wanted to kind of just clear the
7 air and let the Court know that Mr. Conyers and I are on good
8 terms and ready to proceed forward. And I told him you may
9 want to ask him about that as well. So effectively I need to
10 strike my motion and we're good moving forward. And that's
11 it with my motion.

12 THE COURT: Okay.

13 EXAMINATION

14 BY THE COURT:

15 Q. Mr. Conyers.

16 A. Yes, sir

17 A. Is that a correct statement that Mr. Bruno made, that
18 the two of you are communicating now and you're ready to move
19 forward?

20 A. Yes, sir. What I was going to try to do was sit down
21 and just have a long talk about it. Because I got -- I got
22 trust issues. There's a cause and effect. And what I was
23 doing was bringing stuff from my old -- from my last lawyer,
24 Mr. Shockley, into, into this relationship with, with
25 Mr. Bruno. And he like, you know -- and he like, he like you

1 can't do that, you got to give me a chance and stuff and
2 things of that nature. So we had -- we had a point in time
3 where something had happened with the docket sheets. I
4 really don't know. I just started receiving them, but
5 certain entries were deleted for some reason. So he sent me
6 something and told me I filed this motion; I filed a motion.

7 Q. But your communication is fine at this time?

8 A. Oh, yes, sir; yes, sir

9 Q. And you're ready to proceed?

10 A. Yes, sir.

11 Q. Okay, thank you.

12 THE COURT: Mr. Shockley.

13 MR. SHOCKLEY: Good morning, Your Honor. Bill
14 Shockley for Mr. Conyers. In my motion I filed a copy of
15 Mr. Conyers' letter that he sent me. We have had an up and
16 down relationship. It's my understanding based upon his
17 letter and our conversations that he no longer has trust in
18 me and would prefer that I be relieved from the case, from
19 his case. I have a somewhat different opinion, but it's -- I
20 think I could be of assistance to his case. I'm willing to
21 work with Mr. Bruno. But I do think that if Mr. Conyers'
22 lack of trust in me is sufficient that it would interfere
23 with the overall relationship if I were on the defense team,
24 I think that would be a negative. And in any respect I think
25 it's really up to Mr. Conyers at this point to simply state

1 whether his opinion, his trust in me remains the same as it
2 was when he wrote this letter.

3 THE COURT: All right.

4 THE DEFENDANT: Your Honor, I would like to -- I
5 would respectfully want him to withdraw from my case.

6 EXAMINATION

7 BY THE COURT:

8 Q. You do not want Mr. Shockley representing you any
9 longer?

10 A. No, sir.

11 Q. You think that it might be -- why don't we wait for a
12 while and see how Mr. Shockley and Mr. Bruno do working
13 together on your behalf.

14 A. Well, okay. But I would like to -- if, if, really if I
15 could get a chance -- I don't want no special treatment or
16 anything, but really if you could clear the courtroom for me,
17 please, just five minutes of your time, because I really
18 wanted to talk to, to you. Because I have some things I
19 really wanted to get off my chest now, for one -- the
20 intimidation, you know, so I don't want to be intimidated by
21 him. I want to be able to talk to you, so you can
22 understand. Because I don't want you to think I have been
23 wasting your time, because I've been carried back and forth
24 in front of you a few times.

25 Q. Well, the only people in the courtroom are Court

1 Officers. So, why don't you go ahead and say what you have
2 to say?

3 A. Okay, well, for two and-a-half years I've been
4 incarcerated, okay. And Mr. Shockley's been my lawyer.
5 Okay, so like he say, we've had an up and down relationship,
6 but he gave me some mis-information at numerous times. And
7 it caused me to end up taking a plea when my whole time was
8 like -- man, when I'm innocent, this ain't right. Something
9 ain't right about this lawyer. He led me to believe is that
10 it's like, you're guilty. Well, not you're guilty but like
11 you're going to be found guilty. You got no fighting
12 chance. Yeah, we know this ain't right but if you say it
13 you got to swallow over. You see what I'm saying?

14 So as a matter of fact, what I would like to do is, this
15 is a letter that I wrote to Mr. Shockley, March 7, 2011. I'm
16 writing you a letter voicing my concerns so that you -- so
17 that it will be on paper. First off I would like to say that
18 I think that you are a good lawyer but I feel that you are
19 not giving me, giving my case your best. It's seems like you
20 have an excuse why you can't do anything --

21 Q. I'll ask you to slow down because the Court Reporter
22 has to take down what you're saying.

23 A. It seems like you have an excuse why you can't do
24 anything -- everything that I ask you to do unless it
25 involves sending me copies of some type of paper. I'm not

1 proud that it has been 17 or 18 months and you seem that you
2 still are not very familiar with my case. I still have to
3 explain to you all of the little details.

4 I remember that I had read a law book and told you
5 that my Guidelines were around 20 or 25 years, but you told
6 me that they weren't, that I was wrong. You made me believe
7 for a long time that my Guidelines were much lower. Then you
8 came back to tell me that you made a mistake and that I was
9 right. You gassed me up and told me if I went to a proffer
10 with Koshy that you would cut him off when he got up and he
11 got out of hand. But instead you sit there quiet and let him
12 scream, holler and threaten me and beat on the table while
13 you tried -- while trying to impose on me and grilling me
14 into saying what he wanted me to say instead of what was
15 true. Now he has twisted everything that I said wrong and
16 put me in an even deeper hole and all you can say is "oops."

17 At this point in time I want a severance -- I want a
18 severance from Baugh and his wolf pack. And I know that you
19 can get one if you type a motion in writing. I had told you
20 this many times, but you had an excuse why you shouldn't --
21 why we shouldn't.

22 Please put your 30-something years, your
23 30-something years of experience to work for you. I am not,
24 I am not trying to fight the United States of America, when I
25 know that I did something, at least something wrong. But I'm

1 not taking those other four charges that I feel, that I feel
2 that I'm innocent of. And still taking 20 to 25 years.
3 What's the use of pleading out? That's not a plea bargain;
4 that's a piece of numbers.

5 I need you to get my RCE so that I can get -- so
6 that I can go back over them and make sure that I don't miss
7 anything. I also need to file a Motion to Compel so that I
8 can have time to look over evidence. Please file -- please
9 file this motion. This is all that I can think of right
10 now. But, please let me know if this is too much for you.
11 If you're not going to do your best work on my case or if you
12 just really think that you don't have enough time for a case
13 this big -- because this is my life on the line. Not on the
14 person who has done almost the least in my case that I'm
15 facing more time. And from what you tell me there is nothing
16 that we can do about it. I can't take that. Thank you, and
17 I know that you are a great lawyer. And I know that you can
18 do better than you are showing me. Please help.

19 Q. Okay.

20 A. So, when I wrote this letter this is basically -- this
21 is me pleading with this man. I'm saying I think you're a
22 good lawyer, though I don't know you, I think you're a good
23 lawyer. But it was as if the whole time we spent over a year
24 and-a-half going through ten phone calls. But during that
25 time he came to see me multiple times. He brought his laptop

1 and we talked about the same things. He put me in situations
2 where I felt like there's nothing I can do. It's not because
3 of what I'm charged with or it's something charged because I
4 know what I'm innocent for and I know what I'm guilty for and
5 I come to see. But the whole thing is like -- I can't say --
6 I can say overwhelming because the whole thing is because
7 it's like I have -- I have Koshy. So I asked -- I asked him
8 before -- I'm like, now, do you think, if I had a different
9 D. A., that the outcome would be different? And he kind of
10 agreed, well, yeah, maybe, maybe just because of Koshy.

11 So to me really it was just getting like fear
12 like -- like I say most of the time in this letter. Every
13 time I ask you something -- okay, he hasn't been the type of
14 lawyer that tells me from the beginning, well, there's a
15 thing called a motion and this is what a motion is and this
16 is what you do with a motion. This is this and this is
17 that. What I have to do is go and ask other people who have
18 paid lawyers who are locked up with me about stuff. That's
19 how I learn -- I don't have a law degree. So I get educated
20 by going to the extreme of taking my paperwork with the new
21 stuff that I do have and having to give it to somebody else
22 even though they could just hop on my case -- would be like
23 please take this to your lawyer, man, and see what's up. My
24 lawyer saying -- man, something ain't right to me. I mean
25 I'm not an educated lawyer, but something ain't right to me.

1 And when it come back -- man, what's he trying to
2 do? This is just plain old wrong right here. Or I have to
3 ask him, what can I do? Well, have you filed any kind of
4 motions or Motions to Compel? Well, what's a Motion to
5 Compel? Oh, he ain't told you what that is? A Motion for
6 Discovery. Because when I come back, I called Mr. Shockley
7 and asked him -- he's like, well, where did you get this
8 from? Well, Mr. Shockley, Mr. Shockley, can we file a Motion
9 for Discovery? Well, you have the discovery; you have
10 everything that Koshy gave me.

11 Well, this ain't -- this ain't all. Well, what else
12 do you think we're supposed to have? Well, it's always an
13 excuse. We can't do it. The Motion to Compel on certain
14 things on my case -- well, we won't get it. It's like he
15 already knows, he knows something I don't know. So,
16 therefore this situation like -- hey, do you know there's
17 something that -- what's going to happen? You know what I'm
18 saying? What do you know that I don't know? Because it's
19 like anything that I come to you, we can't do it or we
20 shouldn't do it. But the whole thing is part of my case is
21 planning -- how am I going to get my discovery?

22 If it's a thing called -- you know, if there's a
23 pre-trial motion, why haven't I filed any? Have you noticed
24 I've been here two years? Well, two and-a-half years now.
25 Well, the only motion that we filed is a motion to get up

1 off -- to withdraw my plea or the Motion to Withdraw off my
2 case. Nothing else. Nothing else.

3 So I'm sitting here by myself and I'm not fortunate
4 enough to -- my people ain't got no money, so I ain't got no
5 lawyer -- I don't know. They can't send me no law book. And
6 if I'm sitting in a pod with a whole bunch of young dudes
7 wrecking around and running around the pens and I can't -- I
8 can't, I can't study my case. If I don't get the type of
9 lawyer to come to me and say -- and tell me the case, how am
10 I supposed to ask you something if I don't know what to ask
11 you? So it's like he hopped in the middle of my case and go
12 from, okay, we determine to put whatever going on and you can
13 go to trial or you cooperate. You cooperate or you can go to
14 trial. Or you can go to trial, but he makes the trial option
15 even though he'll sit right here and tell you, well, this
16 case is B.S. We know it is. This right here, we got a good
17 argument on this. That don't make sense, do it? But still
18 you allowed me to cop out to 15 to 25 years, when you sitting
19 right here telling me it ain't right.

20 But then he come back and tells me, you know -- it's
21 like he knows -- I don't know what to say, you know. At one
22 point in time, I spent a lot of time -- now, look, I got six
23 charges. Two of them I'm going in and pled guilty for them.
24 Four of them I'm not going to take them because it ain't
25 right. You know what I'm saying? Okay, but so he -- the

1 whole thing with me. I need you to find that information,
2 Mr. Shockley, if I can go on ahead and just be like, look,
3 Mr. Nixon, I'm good for these, but I'm not good for that.
4 Oh, well, you can't do that. I'm still unsure as to right
5 now if I can do that or not. I mean, oh, you can't do that.
6 And I ain't sure if I can do that or not. But to me it
7 sounds kind of strange when he told me, you can't do that.
8 So I'm saying what -- so why he explains to me you got to go
9 in here and say I'm innocent of everything. Okay, but then
10 what he told me was if I go in here and say I'm innocent of
11 everything, I can go in here and beat those old felonies I
12 say I'm innocent for them, but two charges I'm going to get
13 the max, because I took it to trial. So, I'm like it's a
14 hold-up. This ain't right. Yes, sir, that's the way it is.
15 So that put me in a situation -- we'll never know. I'm
16 already -- I'm kind of paranoid. I don't really feel like,
17 oh, man, they just make a rule and break a rule. That's how
18 a lot of us feel because we get misinformed, so we sit back
19 and like, dang, the Government, they sick. The stuff that
20 they telling us is like, well, we know it's not fair but if
21 you don't know the law, you can't go back and say, well, what
22 you just told me ain't right.

23 It don't make no sense that I got to take my
24 paperwork and give to somebody else that takes it to their
25 lawyer, because they got to pay a lawyer and then he comes in

1 and say, well, you need to suppress this, you need to
2 suppress that. And I come back to Mr. Shockley, we need to
3 try to suppress this right here. You're not going to do
4 that, Chris. Well, when he first came to get me, there's
5 some things wrong with my -- I think you can suppress this
6 warrant. Oh, man, your warrant, I already looked it over,
7 man, you see if you in the State, the State they make big
8 mistakes, the police they make all kinds of -- they do all
9 kinds of things wrong. The Feds, they barely make mistakes.

10 Ask me again -- oh, man, it's 200 percent right.
11 Not 100 percent; we told you 200 percent. And he said this
12 in front of Paul Bruno one time. Something like, it's
13 crazy.

14 I just now, some months ago get my search warrant.
15 For the longest I asked him, what's wrong with my search
16 warrant? Oh, man, it's like that thick, man, they got all
17 kinds of paperwork in there. But it don't matter what kind
18 of paperwork they got in there, because the thing is if
19 there's something wrong with it. And I feel in my heart
20 something's wrong with it because I know what went on.

21 Your Honor, I didn't mean to take up all your time,
22 sir. But I have a lot of stuff on my case. He's right we
23 did have an up and down relationship. A few times he was
24 supposed to got off my case. One time he sent me a paper --
25 I don't know if I got it. I think I might have it. Which

1 was saying that it comes down -- I think this is the one.

2 Comes now the Court-appointed counsel, William Shockley, and
3 moves this hereby Court to relieve him as attorney of record
4 for the Defendant Christopher Conyers because of
5 irreconcilable conflict of interest. When it all boils down
6 is one day he comes up here like -- now this happened after
7 this letter right here, the one I just read you. He was mad
8 because I said in the end, copy this letter. Because I had
9 called him and said I want you to copy my letters and I want
10 you to send them back to me so if something like this happens
11 I can come in front you, and it ain't well, when you saying
12 something that you can't back it up. Okay, so he came
13 back -- you know what, I think this case might be a little to
14 too much for me, or whatever like this. So we go through the
15 whole thing to he's off the case. You sure you want me off
16 the case? I have had 30 years of experience being a D. A.
17 and this and all of that stuff right here. Well, okay. Now
18 we had went back and forth until I say, okay, forget it, you
19 can go.

20 So he wait probably about a week or two and he
21 come back and say, well -- at first he sent me these papers.
22 The paper don't have any blue stuff, in it, blue writing at
23 the bottom. That's after he got about the blue writing and
24 the black writing and all that stuff. That's how you mean
25 you really filed it and everything, you know, is proper.

1 Okay, so he come back and say, well, you know, what all of
2 something like a Bar or attorneys or something like that, a
3 conflict would be okay because it's such a big case. So now
4 he weasels -- he's back on my case.

5 And I'm not saying that he's not a good lawyer. But
6 what I'm saying is to me he's been so ineffective and so --
7 had me so confused at times that I can't even trust this man
8 right here. Even though this man come right on my case,
9 Mr. Paul Bruno, and we having trouble because I'm so paranoid
10 and messed up now, I don't trust none of them. And no
11 disrespect, but I don't know what's going on.

12 THE COURT: All right. Mr. Bruno, do you feel that
13 you can handle this case?

14 MR. BRUNO: Yes, sir.

15 THE COURT: All right, then you can do it without
16 Mr. Shockley?

17 MR. BRUNO: I can, Your Honor.

18 THE COURT: All right, I'll relieve Mr. Shockley.

19 MR. SHOCKLEY: Thank you, Your Honor.

20 THE DEFENDANT: Thank you, sir.

21 ***END OF TRANSCRIPT OF PROCEEDINGS***
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REPORTER'S CERTIFICATE

I, Charlotte H. Sloan, Official Court
Reporter for the United States District Court for the Middle
District of Tennessee, with offices at Nashville, do hereby
certify:

That I reported on the Stenograph machine the
proceedings held in open court on January 4, 2012; in the
matter of United States vs. Conyers; Case No. 3-09-00240;
that said proceedings in connection with the hearing were
reduced to typewritten form by me; and that the foregoing
Transcript is a true and accurate record of said proceedings.

This the 28th day of April, 2013.

s/s Charlotte H. Sloan

CHARLOTTE H. SLOAN
Registered Professional
Reporter
Certified Shorthand Reporter